

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY <b>Caption in Compliance with D.N.J. LBR 9004-1(b)</b> HLADIK, ONORATO & FEDERMAN, LLP Sarah K. McCaffery, Esquire Attorney for Movant 298 Wissahickon Avenue North Wales, PA 19454 (215) 855-9521 <u>Attorney for LVNV Funding, LLC</u>	
In Re:  VINCENT J. DOMENICO KRISTEN D. DOMENICO <i>(Debtors)</i>	Case No: 23-12908-ABA  Hearing Date: June 14, 2023 at 9:00am  Chapter: 13  Judge: Andrew B. Altenburg Jr.

### **OBJECTION TO CONFIRMATION OF THE PLAN**

LVNV Funding, LLC (“Movant”), by its attorneys, Hladik, Onorato & Federman, LLP, objects to confirmation of the Chapter 13 Plan of Debtor (“Debtor”), as follows:

1. As of the bankruptcy filing date, Movant holds a secured Claim against the Debtors’ Vehicle, a 2018 Ford F-150 Crew Cab 4x4, VIN 1FTEW1EP5JFC79234 (the “Vehicle”).
2. Debtors purchased the Vehicle on January 8, 2019.
3. Movant filed its Proof of Claim on May 2, 2023, citing a secured total of \$27,720.00. *See Proof of Claim #3 filed on the claims register.*
4. Debtors’ Chapter 13 Plan does not fully provide for Movant’s secured claim.
5. The Plan violates 11 USC § 1325(a)(5)(B)(ii) by not providing for Movant to receive the full value of its claim.
6. Any attempt by the Debtor to modify any portion of this Contract with Movant should be denied.
7. Movant objects to the feasibility of the Plan under 11 U.S.C. § 1325(a)(6). The Plan proposed by Debtor is not feasible. Movant requests that the bankruptcy case either be converted to a Chapter 7 or be dismissed pursuant to 11 U.S.C. § 1307.

8. In addition, Creditor requests that any interest rate that is proposed should correspond to the "Till" rate. In re Till, 301 F.3d 583, 591 (2002).

WHEREFORE, Movant respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan.

HLADIK, ONORATO & FEDERMAN, LLP

Date: 05/04/2023

/s / Sarah K. McCaffery, Esquire  
Sarah K. McCaffery, Esquire  
Hladik, Onorato & Federman, LLP  
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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

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HLADIK, ONORATO & FEDERMAN, LLP

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Attorney for LVNV Funding, LLC

In Re:

VINCENT J. DOMENICO

KRISTEN D. DOMENICO

*(Debtors)*

Case No: 23-12908-ABA

Hearing Date:

June 14, 2023 at 9:00am

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Judge: Andrew B. Altenburg Jr.

**CERTIFICATION OF SERVICE**

1. I, Caitlin Kohn  
☐ represent the \_\_\_\_\_ in the above-captioned matter.  
  
☒ am the secretary/paralegal for Hladik, Onorato & Federman, LLP, who represents LVNV Funding, LLC in the above captioned matter.  
  
☐ am the \_\_\_\_\_ in the above case and am representing myself.
2. On May 4, 2023 I sent a copy of the following pleadings and/or documents to the parties listed below:  
  
Objection to Plan
3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: May 4, 2023 /s/

Caitlin Kohn

Caitlin Kohn

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Vincent J. Domenico Kristen D. Domenico 370 Pine Road Hammonton, NJ 08037	Debtors	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Jennifer L. Kearney, Esquire Bellucci Law 1201 New Road Suite 138 Linwood, NJ 08221	Debtor's Attorneys	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Isabel C. Balboa, Esquire Chapter 13 Standing Trustee 535 Route 38 – Suite 580 Cherry Hill, NJ 08002	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)